

Professionals Across Nation Shocked at Baden Ouster

By RICHARD SEVERO

The ouster of Dr. Michael M. Baden as Chief Medical Examiner of New York caused shock and indignation yesterday among physicians and other professionals from Maine to California who have worked with him.

Dr. Thomas T. Noguchi, the Los Angeles County Medical Examiner, called Dr. Baden an "intense, intelligent, idealistic scientist."

In Maine, Dr. Henry Ryan, the State Medical Examiner, said he was "shocked," and added: "I was born and raised in New York and now I'm here and when I hear about things like this, I'm not upset about being in Maine."

Dr. Cyril Wecht, a highly respected forensic pathologist who is the elected coroner of Pittsburgh, said he had talked with colleagues all over the country yesterday. "All of them," he said, "expressed their amazement that something like this could happen to a man of Dr. Baden's stature."

Dr. Wecht said he believed the ouster was "an obviously superficial attempt to rationalize a despicable action," adding that it was "political chicanery or some sort of political vindictiveness."

Dr. Baden, who was ousted on Tuesday

just before his appointment as Chief Medical Examiner of New York City was to become permanent, essentially reassigned himself to the Bronx yesterday and gave every indication that he planned to resist efforts to depose and discredit him.

Dr. Baden lost the chief's position and reverted to deputy, protected by Civil Service, when Mayor Koch announced that he would not make Dr. Baden's provisional appointment permanent be-

Continued on Page B7, Column 1

Continued From Page A1

cause he had received criticism of Dr. Baden from one of the city's five District Attorneys and the Health Commissioner. The other four District Attorneys gave Dr. Baden high praise.

No decision has been made by Dr. Baden or his attorney, Edward N. Costikyan, as to whether there will be a lawsuit. The complaints against Dr. Baden, brought by Dr. Reinaldo A. Ferrer, the Health Commissioner, and District Attorney Robert M. Morgenthau of Manhattan, generally accused Dr. Baden of poor record-keeping and a lack of cooperation.

Dr. Baden has denied their charges and sent a lengthy rebuttal of them to Mayor Koch.

However, Maureen R. Connelly, the Mayor's press secretary, said yesterday that she knew of no move on the part of Mr. Koch to reappoint Dr. Baden as ouster.

Dr. Ferrer was asked yesterday to reveal the source for one of his complaints — that Dr. Baden told a group of physicians last Feb. 3 that former Governor Rockefeller "had died during sexual intercourse."

Dr. Ferrer said that Dr. Baden made the statement at Lenox Hill Hospital; Dr. Baden denies having made such a statement. A spokesman for Lenox Hill Hospital said the minutes of the meeting Dr. Baden addressed show that it was on Feb. 9, not Feb. 3, and contain no reference to Mr. Rockefeller's death. The hospital, in a statement later, said the meeting's chairman recalled a brief mention of the Rockefeller death as a case that did not call for an autopsy.

Through a spokesman, Dr. Ferrer refused to name the source, explaining that such an elaboration now would be "unethical" because of the possibility that he might be sued by Dr. Baden.

Meanwhile, the ouster of Dr. Baden — a forensic pathologist who served on the House Select Committee that investigated the assassinations of both Presi-

dent Kennedy and the Rev. Dr. Martin Luther King Jr. — brought forth strong supportive statements from doctors and other professionals who know his work.

Uncommon Sensitivity

In Albany, Clarence Sundram, chairman of the State Commission on the Quality of Care for the Mentally Disabled, issued a lengthy statement praising Dr. Baden, who has served the commission as a volunteer.

"Dr. Baden has demonstrated an uncommon sensitivity and compassion for the families of the mentally disabled," Mr. Sundram said. "This commission and its board investigate causes and circumstances of unnatural deaths of mentally disabled persons from all parts of the state. As such, we are in a position to judge the comparative quality of forensic pathology as practiced around the state."

He called Dr. Baden "among the best" and added that he hoped "that he will continue to serve this commission and the board with the same distinction that he has in the past."

In Pittsburgh, Dr. Wecht said:

"I would like to ask by what right does a single District Attorney pass judgment on the activities of a forensic pathologist? Does anyone in New York ever go to a Medical Examiner and ask him what he thinks of a District Attorney?"

"I would very much like to see an evaluation of Mr. Morgenthau's office — how many cases have they flubbed, how many pieces of evidence have they lost? How can it be that the other four District Attorneys are ignored? It is a great travesty and Michael Baden will have to live with it for the rest of his life. It will hurt him, not among those of us who know him, but among those who will judge him only on his past record."